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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,272	12/03/2003	Takateru Satoh	02157/0200631-US0	7115 -
7278	7590 11/15/2006		EXAMINER	
DARBY & DARBY P.C.			RIVERA, WILLIAM ARAUZ	
P. O. BOX 5257 NEW YORK, NY 10150-5257			ART UNIT	PAPER NUMBER
			3654	
			DATE MAILED: 11/15/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

		. Application No.	Applicant(s)			
Office Action Summany		10/728,272	SATOH ET AL.			
	Office Action Summary	Examiner	Art Unit			
		William A. Rivera	3654			
Period fo	The MAILING DATE of this communication ap or Reply	ppears on the cover sheet with the c	correspondence address			
WHIC - External after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPLICED FOR IS LONGER, FROM THE MAILING IN STATE IN THE MAILING INTERNATION THE MAILING IN THE M	DATE OF THIS COMMUNICATION .136(a). In no event, however, may a reply be tind d will apply and will expire SIX (6) MONTHS from te, cause the application to become ABANDONE	N. nely filed the mailing date of this communication. ED (35 U.S.C. § 133).			
Status			•			
1)	Responsive to communication(s) filed on					
2a)□		—· is action is non-final.				
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
-,	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Dispositi	on of Claims					
4)🖂	☑ Claim(s) <u>1-16</u> is/are pending in the application.					
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5)	Claim(s) is/are allowed.					
6)□	Claim(s) is/are rejected.					
7)	Claim(s) is/are objected to.					
8)⊠	Claim(s) 1-16 are subject to restriction and/or	election requirement.				
Applicati	on Papers					
9)[The specification is objected to by the Examin	er.				
10)	10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11)[The oath or declaration is objected to by the E	xaminer. Note the attached Office	Action or form PTO-152.			
Priority u	inder 35 U.S.C. § 119					
-	Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). N⊠ All b) Some * c) None of:					
	1. Certified copies of the priority documents have been received.					
	2. Certified copies of the priority documents have been received in Application No					
	3. Copies of the certified copies of the priority documents have been received in this National Stage					
* 0	application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.					
٠ ٥	lee the attached detailed Office action for a list	t of the certified copies not receive	: · · · · · · · · · · · · · · · · · · ·			
Attachment	r(s)					
	e of References Cited (PTO-892)	4) Interview Summary				
_	e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08	Paper No(s)/Mail Da	ate atent Application (PTO-152)			
	r No(s)/Mail Date	6) Other:				

The restriction requirement of August 11, 2006 is vacated in view of the new restriction requirement below.

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-8 and 12, drawn to the molding mold for molding a flange, classified in class 425, subclass 591.
- II. Claims 10-11, 15, and 16, drawn to the tape cartridge apparatus, classified in class242, subclass 348.
- III. Claims 9, 13, and 14 drawn to the method of molding a flange, classified in class 264/279.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process as claimed can be used to make another and materially different product such as a bearing having an insert to make it stronger.

Inventions II and III are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the mold

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could be used to shape a solid plastic piece instead of a metal/plastic composite article or mold plastic only without inserting a preform in the mold.

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Inventions I and III are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process as claimed can be used to make another and materially different product such as a bearing having an insert to make it stronger.

Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are independent or distinct for the reasons given above and the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

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Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William A. Rivera whose telephone number is 571-272-6953. The examiner can normally be reached on Monday to Thursday - 5:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WILLIAM A. RIVERA PRIMARY EXAMINER

November 13, 2006